

# **Exhibit 2**

BRIAN J. STRETCH (CABN 163973)  
Acting United States Attorney

DAVID R. CALLAWAY (CABN 121782)  
Chief, Criminal Division

J. DOUGLAS WILSON (DCBN 412811)  
LLOYD FARNHAM (CABN 202231)  
SARAH K. HAWKINS (CABN 257723)  
Assistant United States Attorneys

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Lloyd.Farnham@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID MADLOCK,  
MATTHEW MUMPHREY,  
LATONYA CAREY,  
CRYSTAL ANTHONY,  
DARLENE ROUSE,  
ACACIA MCNEAL,  
ANITA DIXON,  
AARON MATTHEWS,  
NIJAH REED,  
TIANA REDDIC,  
TIFFANY CROSS,  
SHOLANDA ADAMS,

Defendants.

) NO. CR 14-643 EMC

)  
) SUPPLEMENTAL DECLARATION OF  
) LLOYD FARNHAM IN SUPPORT OF  
) UNITED STATES' OPPOSITION TO  
) MOTION TO COMPEL DISCOVERY

1 I, Lloyd Farnham, declare and state as follows:

2 1. I am an Assistant United States Attorney in the United States Attorney's Office for the  
3 Northern District of California. This declaration supplements a declaration previously filed in this  
4 matter on July 16, 2015.

5 2. I began receiving information about particular cases that became part of Operation Safe  
6 Schools in early December of 2014. Beginning at that time, agents with the Drug Enforcement Agency  
7 and task force officers working with the DEA gave me information regarding potential cases. For each  
8 Operation Safe Schools case I evaluated for prosecution, I received reports prepared by officers and  
9 agents, criminal history reports for the suspects, and video recordings of the narcotics transactions.

10 3. I received information about each potential case over the course of about six weeks  
11 during December 2014 and January 2015. Within a few days after I received the information about a  
12 particular incident, I reviewed the information and determined whether to make a recommendation to  
13 prosecute each case. I then presented each case to my supervisors, AUSA Kevin Barry or AUSA Daniel  
14 Kaleba, for their review. In presenting each case, I did not discuss or describe the race of the suspect.  
15 After each case was approved by my supervisors, I presented these cases to the grand jury for indictment  
16 starting on December 18, 2014, and ending on January 29, 2015.

17 4. Before the selective prosecution allegation was raised in these cases, I never discussed  
18 the race of any suspect with agents or officers involved in the operation. I never instructed agents or  
19 officers to target any person based on race or to take race into consideration in selecting targets to  
20 investigate. I never heard or saw any information that led me to suspect that any decisions made by  
21 anyone during the investigation were based on race.

22 5. I viewed some of the videos relating to Operation Safe Schools cases that were handled  
23 by Assistant United States Attorney Sarah Hawkins, but I did not see all of them. I also did not review  
24 the information for all the cases that AUSA Hawkins evaluated, and I did not know the race of all of the  
25 suspects that AUSA Hawkins was evaluating for prosecution.


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1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on March 11, 2016, in San Francisco, California.

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5 LLOYD FARNHAM  
6 Assistant United States Attorney  
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1 BRIAN J. STRETCH (CABN 163973)  
Acting United States Attorney

2 DAVID R. CALLAWAY (CABN 121782)  
3 Chief, Criminal Division

4 J. DOUGLAS WILSON (DCBN 412811)  
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9 Attorneys for United States of America

10  
11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 DAVID MADLOCK,  
18 MATTHEW MUMPHREY,  
19 LATONYA CAREY,  
CRYSTAL ANTHONY,  
20 DARLENE ROUSE,  
ACACIA MCNEAL,  
21 ANITA DIXON,  
AARON MATTHEWS,  
22 NIJAH REED,  
TIANA REDDIC,  
TIFFANY CROSS,  
23 SHOLANDA ADAMS,

24 Defendants.

) NO. CR 14-643 EMC

)  
) SUPPLEMENTAL DECLARATION OF  
) SARAH HAWKINS IN SUPPORT OF  
) UNITED STATES' OPPOSITION TO  
) MOTION TO COMPEL DISCOVERY

1 I, Sarah Hawkins, declare and state as follows:

2 1. I am an Assistant United States Attorney in the United States Attorney's Office for the  
3 Northern District of California. This declaration supplements a declaration previously filed in this  
4 matter on July 16, 2015.

5 2. I began receiving information about particular cases that became part of Operation Safe  
6 Schools in early December of 2014. Beginning at that time, agents with the Drug Enforcement Agency  
7 and task force officers working with the DEA gave me information regarding potential cases. For each  
8 Operation Safe Schools case I evaluated for prosecution, I received reports prepared by officers and  
9 agents, criminal history reports for the suspects, and video recordings of the narcotics transactions.

10 3. I received information about each potential case over the course of about six weeks  
11 during December 2014 and January 2015. Within a few days after I received the information about a  
12 particular incident, I reviewed the information and determined whether to make a recommendation to  
13 prosecute each case. I then presented each case to my supervisors, AUSA Kevin Barry or AUSA Daniel  
14 Kaleba, for their review. In presenting each case, I did not discuss or describe the race of the suspect.  
15 After each case was approved by my supervisors, I presented these cases to the grand jury for indictment  
16 starting on December 18, 2014, and ending on January 29, 2015.

17 4. Before the selective prosecution allegation was raised in these cases, I never discussed  
18 the race of any suspect with agents or officers involved in the operation. I never instructed agents or  
19 officers to target any person based on race or to take race into consideration in selecting targets to  
20 investigate. I never heard or saw any information that led me to suspect that any decisions made by  
21 anyone during the investigation were based on race.

22 5. I viewed some of the videos relating to Operation Safe Schools cases that were handled  
23 by Assistant United States Attorney Lloyd Farnham, but I did not see all of them. I also did not review  
24 the information for all the cases that AUSA Farnham evaluated, and I did not know the race of all of the  
25 suspects that AUSA Farnham was evaluating for prosecution.

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1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on March 11, 2016, in San Francisco, California.

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5 SARAH HAWKINS  
6 Assistant United States Attorney  
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BRIAN J. STRETCH (CABN 163973)  
Acting United States Attorney

DAVID R. CALLAWAY (CABN 121782)  
Chief, Criminal Division

J. DOUGLAS WILSON (DCBN 412811)  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID MADLOCK,  
MATTHEW MUMPHREY,  
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CRYSTAL ANTHONY,  
DARLENE ROUSE,  
ACACIA MCNEAL,  
ANITA DIXON,  
AARON MATTHEWS,  
NIJAH REED,  
TIANA REDDIC,  
TIFFANY CROSS,  
SHOLANDA ADAMS,

Defendants.

NO. CR 14-643 EMC

SUPPLEMENTAL DECLARATION OF  
KEVIN J. BARRY IN SUPPORT OF  
UNITED STATES' OPPOSITION TO  
MOTION TO COMPEL DISCOVERY



1 I, Kevin J. Barry, declare and state as follows:

2 1. I am an Assistant United States Attorney in the United States Attorney's Office for the  
3 Northern District of California. I am currently assigned to the Strike Force / Violent Crime Section of  
4 the office. My previous assignment was Chief of the General Crimes Section. In that capacity, I  
5 authorized indictments submitted by AUSAs in my unit charging numerous defendants as part of the  
6 second phase of Operation Safe Schools. This declaration supplements a declaration previously filed in  
7 this matter on July 16, 2015.

8 2. I met with Drug Enforcement Agency Special Agent Charles Atakora and officers with  
9 the San Francisco Police Department and discussed videotaping drug sales, with the videos to be used as  
10 trial evidence in support of the Safe Schools prosecutions. I never instructed any DEA agent or SFPD  
11 officer at any time to videotape any particular person or persons of any particular race or ethnicity. I did  
12 not tell law enforcement personnel, including agents and officers from the Drug Enforcement  
13 Administration and the San Francisco Police Department, to take race into consideration when targeting  
14 defendants, and I did not take race into account when authorizing indictments.

15 3. The United States Attorney's Office intended that Operation Safe Schools would  
16 continue after the phase two arrests in February 2015. The United States Attorney's Office decided to  
17 suspend new Operation Safe Schools prosecutions after the Federal Public Defender advised the Office  
18 in March 2015 that some defendants would claim that law enforcement officers and the government  
19 engaged in racial discrimination during Operation Safe Schools. Had defendants not claimed racial  
20 discrimination, the United States Attorney's Office would have pursued additional Operation Safe  
21 Schools efforts in the Tenderloin and other neighborhoods in San Francisco to prosecute in federal court  
22 persons dealing drugs near schools or where children gather.

23 I declare under penalty of perjury that the foregoing is true and correct.

24 Executed on March 11, 2016, in San Francisco, California.

25  
26   
27 KEVIN J. BARRY  
28 Assistant United States Attorney

BRIAN J. STRETCH (CABN 163973)  
Acting United States Attorney

DAVID R. CALLAWAY (CABN 121782)  
Chief, Criminal Division

J. DOUGLAS WILSON (DCBN 412811)  
LLOYD FARNHAM (CABN 202231)  
SARAH K. HAWKINS (CABN 257723)  
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Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

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DAVID MADLOCK,  
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LATONYA CAREY,  
CRYSTAL ANTHONY,  
DARLENE ROUSE,  
ACACIA MCNEAL,  
ANITA DIXON,  
AARON MATTHEWS,  
NIJAH REED,  
TIANA REDDIC,  
TIFFANY CROSS,  
SHOLANDA ADAMS,

Defendants.

) NO. CR 14-643 EMC

) SUPPLEMENTAL DECLARATION OF  
) DANIEL KALEBA IN SUPPORT OF  
) UNITED STATES' OPPOSITION TO  
) MOTION TO COMPEL DISCOVERY

1 I, Daniel Kaleba, declare and state as follows:

2 1. I am an Assistant United States Attorney in the United States Attorney's Office for the  
3 Northern District of California. This declaration supplements a declaration previously filed in this  
4 matter on July 16, 2015.

5 2. I met with Drug Enforcement Agency Special Agent Charles Atakora and officers with  
6 the San Francisco Police Department about obtaining video of drug sales to be used as trial evidence in  
7 support of the Safe Schools prosecutions. I never instructed any DEA agent or SFPD officer at any time  
8 to videotape any particular person or persons of any particular race or ethnicity.

9 3. The United States Attorney's Office intended that Operation Safe Schools would  
10 continue after the phase two arrests in February, 2015. The United States Attorney's Office decided to  
11 temporarily cease new Operation Safe Schools prosecutions after the Federal Public Defender advised  
12 the Office in March, 2015 that certain defendants would claim that law enforcement officers and the  
13 government engaged in racial discrimination during Operation Safe Schools. If defendants had not  
14 claimed racial discrimination during Operation Safe Schools, the United States Attorney's Office would  
15 have pursued additional Operation Safe Schools efforts in the Tenderloin and other neighborhoods in  
16 San Francisco to prosecute in federal court persons dealing drugs near schools or where children gather.

17 I declare under penalty of perjury that the foregoing is true and correct.

18 Executed on March 10, 2016, in San Francisco, California.

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20 DANIEL KALEBA  
21 Assistant United States Attorney  
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1 BRIAN J. STRETCH (CABN 163973)  
Acting United States Attorney

2 DAVID R. CALLAWAY (CABN 121782)  
3 Chief, Criminal Division

4 J. DOUGLAS WILSON (DCBN 412811)  
LLOYD FARNHAM (CABN 202231)  
5 SARAH K. HAWKINS (CABN 257723)  
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9 Attorneys for United States of America

10  
11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 DAVID MADLOCK,  
18 MATTHEW MUMPHREY,  
LATONYA CAREY,  
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DARLENE ROUSE,  
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23 SHOLANDA ADAMS,

24 Defendants.  
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) NO. CR 14-643 EMC

) SUPPLEMENTAL DECLARATION OF  
) S. WAQAR HASIB IN SUPPORT OF  
) UNITED STATES' OPPOSITION TO  
) MOTION TO COMPEL DISCOVERY

1 I, S. Waqar Hasib, declare and state as follows:

2 1. I am an Assistant United States Attorney in the Northern District of California, where I  
3 am currently assigned to the Special Prosecutions and National Security Unit. From approximately  
4 April of 2012 until January of 2015, I was the Deputy Chief of the Narcotics/Organized Crime Drug  
5 Enforcement Task Force (OCDETF) Unit of the United States Attorney's Office for the Northern  
6 District of California. In that capacity, I was delegated the authority by the United States Attorney to  
7 commence federal prosecutions and to recommend prosecutions to the federal grand jury. This  
8 declaration supplements a declaration previously filed in this matter on July 16, 2015.

9 2. In my capacity as Deputy Chief of the Narcotics/OCDETF Unit, I authorized indictments  
10 submitted by Assistant United States Attorneys in my unit charging numerous defendants under the  
11 rubric of Operation Safe Schools. I authorized prosecution of these individuals because it appeared to  
12 me that each person's conduct constituted a federal offense under Sections 841(a)(1) and 860 of Title 21  
13 of the United States Code, and that the admissible evidence in each case was sufficient to obtain and  
14 sustain a conviction. In particular, every case that I authorized included a videotaped drug deal  
15 involving the individual. In authorizing these indictments, at no time did I consider the individual's race  
16 as a factor in prosecution. Indeed, in the large majority of these cases, I was entirely unaware of any  
17 particular individual's race when I authorized presentation to the grand jury.

18 3. During Operation Safe Schools, I did not tell law enforcement personnel, including  
19 agents and officers from the Drug Enforcement Administration and the San Francisco Police  
20 Department, to take race into consideration when targeting defendants.

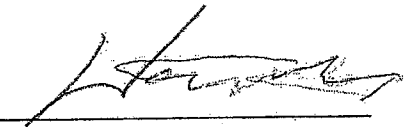
21 4. During Operation Safe Schools, several Tenderloin drug cases were presented to me that  
22 I ultimately declined because the evidence was insufficient. Typically I declined these cases because the  
23 video recording did not clearly identify the individual who sold drugs.

24 5. There was no policy in the United States Attorney's Office that was used to accept  
25 Operation Safe Schools cases for prosecution, other than the United States Attorney's Manual, which  
26 clearly states that a person's race should not be considered in determining whether to recommend  
27 prosecution. U.S.A.M. 9-27.260. Had I reviewed each Safe Schools case presented to me to determine  
28 the racial background of each defendant, and then either declined particular cases because a defendant

1 was African-American, or instructed law enforcement to target additional individuals who were not  
2 African-American, as the Federal Public Defender's motion suggests I should have done, I would have  
3 been clearly discriminating on the basis of race and plainly violating U.S.A.M. 9-27.260.

4 I declare under penalty of perjury that the foregoing factual assertions are true and correct to the  
5 best of my knowledge and belief.

6 Executed on March 11, 2016, in San Francisco, California.

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8   
9 S. WAQAR HASIB  
Assistant United States Attorney

1 BRIAN J. STRETCH (CABN 163973)  
Acting United States Attorney

2 DAVID R. CALLAWAY (CABN 121782)  
3 Chief, Criminal Division

4 J. DOUGLAS WILSON (DCBN 412811)  
LLOYD FARNHAM (CABN 202231)  
5 SARAH K. HAWKINS (CABN 257723)  
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9 Attorneys for United States of America

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11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,

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17 DAVID MADLOCK,  
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19 LATONYA CAREY,  
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22 NIJAH REED,  
TIANA REDDIC,  
TIFFANY CROSS,  
23 SHOLANDA ADAMS,

24 Defendants.

) NO. CR 14-643 EMC

) DECLARATION OF  
) MATTHEW L. MCCARTHY IN SUPPORT OF  
) UNITED STATES' OPPOSITION TO  
) MOTION TO COMPEL DISCOVERY



1 I, Matthew L. McCarthy, declare and state as follows:

2 1. I am an Assistant United States Attorney in the United States Attorney's Office for the  
3 Northern District of California.

4 2. In November of 2013, I served as the Acting Deputy Chief of the Narcotics/OCDETF  
5 section of the United States Attorney's Office. In that capacity, I reviewed and approved approximately  
6 3-4 indictments submitted for review by AUSA Waqar Hasib in connection with Operation Safe  
7 Schools.

8 3. In reviewing those indictments, I did not consider the race of the proposed defendants in  
9 any way. AUSA Hasib's prosecution memoranda did not mention the race of the proposed defendants,  
10 and I did not review video or photographs of those defendants. I reviewed those proposed indictments  
11 to determine if they met our intake guidelines for that Operation. I determined that the proposed  
12 indictments met our guidelines, and therefore approved them.

13 I declare under penalty of perjury that the foregoing is true and correct to the best of my  
14 knowledge and belief.

15 Executed on March 11, 2016, in San Francisco, California.

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18 MATTHEW L. MCCARTHY  
19 Assistant United States Attorney  
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